



February 19, 2019

HOUSE BILL No. 1643

DIGEST OF HB 1643 (Updated February 19, 2019 11:10 am - DI 113)

Citations Affected: IC 3-7; IC 14-8; IC 14-22; IC 35-31.5; IC 35-42; IC 35-47.

Synopsis: Firearms matters. Designates the following as voter registration offices: (1) Each office affiliated with the Indiana state police. (2) Each office affiliated with the sheriff of a county. (3) Each office affiliated with a municipal law enforcement agency. Specifies that each issuance of a hunting, fishing, or trapping license shall be accompanied by a mail in voter registration form. Permits a person who may legally possess a firearm to possess a firearm on school property if the person possesses the firearm: (1) as an employee or volunteer of a house of worship located on the school property; or (2) while attending a worship service or religious ceremony conducted at a house of worship. Increases the duration of a four year handgun license to five years. Provides that an individual may simultaneously hold both a five year license and a lifetime license. Requires a law enforcement officer to whom an application for a handgun license is made to consult available local, state, and federal criminal history data banks, including the National Instant Criminal Background Check System (NICS), when determining whether possession of a firearm by an applicant would be a violation of state or federal law. Modifies the state fees for five year licenses beginning July 1, 2020. Excludes certain nonexclusive uses of school property from the statutory definition of "school property".

Effective: July 1, 2019.

Smaltz, Wesco, Speedy

January 24, 2019, read first time and referred to Committee on Public Policy.
February 7, 2019, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.
February 14, 2019, reported — Do Pass.
February 18, 2019, referred to Committee on Ways and Means pursuant to Rule 84.
February 19, 2019, amended, reported — Do Pass.

HB 1643—LS 7537/DI 123



February 19, 2019

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

HOUSE BILL No. 1643

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 3-7-18-2, AS AMENDED BY P.L.128-2015,
2 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 2. **(a) Except as provided in subsection (b) and**
4 as provided in 52 U.S.C. 20506(a)(4)(A)(i) and 52 U.S.C.
5 20506(a)(6)(A), an agency designated under IC 3-7-19 (board of
6 registration offices), IC 3-7-20.5 (unemployment compensation offices
7 **and law enforcement offices**), and IC 3-7-21 (additional designated
8 voter registration offices) shall distribute a voter registration form
9 prescribed under this chapter to each person applying for assistance
10 from the agency whenever the applicant:
11 (1) applies for service or assistance;
12 (2) applies for recertification or renewal of services or assistance;
13 or
14 (3) submits a change of address form relating to the service or
15 assistance;
16 unless the applicant declines in writing to register to vote.
17 **(b) A law enforcement agency is not required to distribute the**

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1 voter registration form described under subsection (a) unless a
 2 person is applying for a license to carry a handgun under
 3 IC 35-47-2-3.

4 SECTION 2. IC 3-7-20.5-1, AS AMENDED BY P.L.128-2015,
 5 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2019]: Sec. 1. Each office of the department of employment
 7 and training services that provides assistance or services concerning
 8 unemployment compensation following locations is designated as a
 9 voter registration office under 52 U.S.C. 20506:

10 (1) Each office of the department of employment and training
 11 services that provides assistance or services concerning
 12 unemployment compensation.

13 (2) Each office affiliated with the Indiana state police.

14 (3) Each office affiliated with the sheriff of a county.

15 (4) Each office affiliated with a municipal law enforcement
 16 agency.

17 SECTION 3. IC 3-7-20.5-3 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. For purposes of this
 19 chapter, the executive director of the department of employment and
 20 training services is the following persons shall act as a "governing
 21 body" under IC 3-7-18:

22 (1) The executive director of the department of employment
 23 and training services.

24 (2) The superintendent of state police.

25 (3) The sheriff of a county.

26 (4) The chief of police or comparable law enforcement officer
 27 for a municipal law enforcement agency.

28 SECTION 4. IC 3-7-24-1.5 IS ADDED TO THE INDIANA CODE
 29 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 30 1, 2019]: Sec. 1.5. (a) An organization or entity that sells a hunting,
 31 fishing, or trapping license described under IC 14-22 shall be
 32 designated as a distribution site for registration by mail forms.

33 (b) The NVRA official may enter into an agreement on behalf
 34 of the commission with the board of trustees or comparable
 35 executive authority for an organization or entity described in
 36 subsection (a) to designate the organization or entity described in
 37 subsection (a) as a distribution site for registration by mail forms
 38 under this section.

39 SECTION 5. IC 14-8-2-236.5 IS ADDED TO THE INDIANA
 40 CODE AS A NEW SECTION TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2019]: Sec. 236.5. "Registration by mail
 42 form" means the mail voter registration application form as



described under IC 3-7-22.

SECTION 6. IC 14-22-11-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 2.5. (a) Except as otherwise provided, the issuance of any license described in this chapter shall be accompanied by a registration by mail form.**

(b) A person provided with a registration by mail form under this section may refuse receipt of the registration by mail form. The issuance of a license described under this chapter may not be contingent upon a person:

(1) accepting the registration by mail form described in subsection (a); or

(2) registering to vote.

SECTION 7. IC 35-31.5-2-285, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 285. (a) Except as provided in subsection (b), "school property" means the following:**

(1) A building or other structure owned or rented by:

(A) a school corporation;

(B) an entity that is required to be licensed under IC 12-17.2 or IC 31-27;

(C) a private school that is not supported and maintained by funds realized from the imposition of a tax on property, income, or sales; or

(D) a federal, state, local, or nonprofit program or service operated to serve, assist, or otherwise benefit children who are at least three (3) years of age and not yet enrolled in kindergarten, including the following:

(i) A Head Start program under 42 U.S.C. 9831 et seq.

(ii) A special education preschool program.

(iii) A developmental child care program for preschool children.

(2) The grounds adjacent to and owned or rented in common with a building or other structure described in subdivision (1).

(b) The term does not include any portion of school property that is or is reasonably believed to be:

(1) used nonexclusively by an organization or program described in subsection (a)(1) in accordance with a rental contract, time share contract, property covenant, easement, or other similar agreement; or

(2) owned or rented and used by a person other than an organization or program described in subsection (a)(1) when



the property is not under the exclusive use and control of an organization or program described in subsection (a)(1).

SECTION 8. IC 35-42-4-14, AS AMENDED BY P.L.87-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 14. (a) As used in this section, "serious sex offender" means a person required to register as a sex offender under IC 11-8-8 who is:

(1) found to be a sexually violent predator under IC 35-38-1-7.5; or

(2) convicted of one (1) or more of the following offenses:

(A) Child molesting (IC 35-42-4-3).

(B) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).

(C) Possession of child pornography (IC 35-42-4-4(d) or IC 35-42-4-4(e)).

(D) Vicarious sexual gratification (IC 35-42-4-5(a) and IC 35-42-4-5(b)).

(E) Performing sexual conduct in the presence of a minor (IC 35-42-4-5(c)).

(F) Child solicitation (IC 35-42-4-6).

(G) Child seduction (IC 35-42-4-7).

(H) Sexual misconduct with a minor (IC 35-42-4-9).

(I) A conspiracy or an attempt to commit an offense described in clauses (A) through (H).

(J) An offense in another jurisdiction that is substantially similar to an offense described in clauses (A) through (I).

(b) A serious sex offender who knowingly or intentionally enters school property commits unlawful entry by a serious sex offender, a Level 6 felony.

(c) It is a defense to a prosecution under subsection (b) that:

(1) a religious institution or house of worship is located on the school property; and

(2) the person:

(A) enters the school property or other entity described in ~~IC 35-31.5-2-285(1)(A)~~ **IC 35-31.5-2-285(a)(1)(A)** through ~~IC 35-31.5-2-285(1)(D)~~ **IC 35-31.5-2-285(a)(1)(D)** when classes, extracurricular activities, or any other school activities are not being held:

(i) for the sole purpose of attending worship services or receiving religious instruction; and

(ii) not earlier than thirty (30) minutes before the beginning of the worship services or religious instruction; and

(B) leaves the school property not later than thirty (30)



1 minutes after the conclusion of the worship services or
2 religious instruction.

3 SECTION 9. IC 35-47-2-3, AS AMENDED BY P.L.86-2018,
4 SECTION 335, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) A person desiring a license
6 to carry a handgun shall apply:

- 7 (1) to the chief of police or corresponding law enforcement officer
8 of the municipality in which the applicant resides;
9 (2) if that municipality has no such officer, or if the applicant does
10 not reside in a municipality, to the sheriff of the county in which
11 the applicant resides after the applicant has obtained an
12 application form prescribed by the superintendent; or
13 (3) if the applicant is a resident of another state and has a regular
14 place of business or employment in Indiana, to the sheriff of the
15 county in which the applicant has a regular place of business or
16 employment.

17 The superintendent and local law enforcement agencies shall allow an
18 applicant desiring to obtain or renew a license to carry a handgun to
19 submit an application electronically under this chapter if funds are
20 available to establish and maintain an electronic application system.

21 (b) The law enforcement agency which accepts an application for a
22 handgun license shall collect the following application fees:

- 23 (1) From a person applying for a ~~four (4)~~ **five (5)** year handgun
24 license, a ten dollar (\$10) application fee, five dollars (\$5) of
25 which shall be refunded if the license is not issued.
26 (2) From a person applying for a lifetime handgun license who
27 does not currently possess a valid Indiana handgun license, a fifty
28 dollar (\$50) application fee, thirty dollars (\$30) of which shall be
29 refunded if the license is not issued.
30 (3) From a person applying for a lifetime handgun license who
31 currently possesses a valid Indiana handgun license, a forty dollar
32 (\$40) application fee, thirty dollars (\$30) of which shall be
33 refunded if the license is not issued.

34 Except as provided in subsection (h), the fee shall be deposited into the
35 law enforcement agency's firearms training fund or other appropriate
36 training activities fund and used by the agency to train law enforcement
37 officers in the proper use of firearms or in other law enforcement
38 duties, or to purchase firearms, firearm related equipment, or body
39 armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers
40 employed by the law enforcement agency. The state board of accounts
41 shall establish rules for the proper accounting and expenditure of funds
42 collected under this subsection.



(c) The officer to whom the application is made shall ascertain the applicant's name, full address, length of residence in the community, whether the applicant's residence is located within the limits of any city or town, the applicant's occupation, place of business or employment, criminal record, if any, and convictions (minor traffic offenses excepted), age, race, sex, nationality, date of birth, citizenship, height, weight, build, color of hair, color of eyes, scars and marks, whether the applicant has previously held an Indiana license to carry a handgun and, if so, the serial number of the license and year issued, whether the applicant's license has ever been suspended or revoked, and if so, the year and reason for the suspension or revocation, and the applicant's reason for desiring a license. **If the applicant is not a United States citizen, the officer to whom the application is made shall ascertain the applicant's country of citizenship, place of birth, and any alien or admission number issued by United States Immigration and Customs Enforcement or any successor agency as applicable.** The officer to whom the application is made shall conduct an investigation into the applicant's official records and verify thereby the applicant's character and reputation, and shall in addition verify for accuracy the information contained in the application, and shall forward this information together with the officer's recommendation for approval or disapproval and one (1) set of legible and classifiable fingerprints of the applicant to the superintendent. **An investigation conducted under this section must include the consulting of available local, state, and federal criminal history data banks, including the National Instant Criminal Background Check System (NICS), to determine whether possession of a firearm by an applicant would be a violation of state or federal law.**

(d) The superintendent may make whatever further investigation the superintendent deems necessary. Whenever disapproval is recommended, the officer to whom the application is made shall provide the superintendent and the applicant with the officer's complete and specific reasons, in writing, for the recommendation of disapproval.

(e) If it appears to the superintendent that the applicant:

- (1) has a proper reason for carrying a handgun;
- (2) is of good character and reputation;
- (3) is a proper person to be licensed; and
- (4) is:
 - (A) a citizen of the United States; or
 - (B) not a citizen of the United States but is allowed to carry a firearm in the United States under federal law;



the superintendent shall issue to the applicant a qualified or an unlimited license to carry any handgun lawfully possessed by the applicant. The original license shall be delivered to the licensee. A copy shall be delivered to the officer to whom the application for license was made. A copy shall be retained by the superintendent for at least ~~four (4)~~ **five (5)** years in the case of a ~~four (4)~~ **five (5)** year license. The superintendent may adopt guidelines to establish a records retention policy for a lifetime license. A ~~four (4)~~ **five (5)** year license shall be valid for a period of ~~four (4)~~ **five (5)** years from the date of issue. A lifetime license is valid for the life of the individual receiving the license. The license of police officers, sheriffs or their deputies, and law enforcement officers of the United States government who have twenty (20) or more years of service shall be valid for the life of these individuals. However, a lifetime license is automatically revoked if the license holder does not remain a proper person.

(f) At the time a license is issued and delivered to a licensee under subsection (e), the superintendent shall include with the license information concerning handgun safety rules that:

(1) neither opposes nor supports an individual's right to bear arms; and

(2) is:

(A) recommended by a nonprofit educational organization that is dedicated to providing education on safe handling and use of firearms;

(B) prepared by the state police department; and

(C) approved by the superintendent.

The superintendent may not deny a license under this section because the information required under this subsection is unavailable at the time the superintendent would otherwise issue a license. The state police department may accept private donations or grants to defray the cost of printing and mailing the information required under this subsection.

(g) A license to carry a handgun shall not be issued to any person who:

(1) has been convicted of a felony;

(2) has had a license to carry a handgun suspended, unless the person's license has been reinstated;

(3) is under eighteen (18) years of age;

(4) is under twenty-three (23) years of age if the person has been adjudicated a delinquent child for an act that would be a felony if committed by an adult; ~~or~~

(5) has been arrested for a Class A or Class B felony for an



offense committed before July 1, 2014, for a Level 1, Level 2, Level 3, or Level 4 felony for an offense committed after June 30, 2014, or any other felony that was committed while armed with a deadly weapon or that involved the use of violence, if a court has found probable cause to believe that the person committed the offense charged; or

(6) is prohibited by federal law from possessing or receiving firearms under 18 U.S.C. 922(g) through 18 U.S.C. 922(n).

In the case of an arrest under subdivision (5), a license to carry a handgun may be issued to a person who has been acquitted of the specific offense charged or if the charges for the specific offense are dismissed. The superintendent shall prescribe all forms to be used in connection with the administration of this chapter.

(h) If the law enforcement agency that charges a fee under subsection (b) is a city or town law enforcement agency, the fee shall be deposited in the law enforcement continuing education fund established under IC 5-2-8-2.

(i) If a person who holds a valid license to carry a handgun issued under this chapter:

- (1) changes the person's name;
- (2) changes the person's address; or
- (3) experiences a change, including an arrest or a conviction, that may affect the person's status as a proper person (as defined in IC 35-47-1-7) or otherwise disqualify the person from holding a license;

the person shall, not later than thirty (30) days after the date of a change described under subdivision (3), and not later than sixty (60) days after the date of the change described under subdivision (1) or (2), notify the superintendent, in writing, of the event described under subdivision (3) or, in the case of a change under subdivision (1) or (2), the person's new name or new address.

(j) The state police shall indicate on the form for a license to carry a handgun the notification requirements of subsection (i).

(k) The state police department shall adopt rules under IC 4-22-2 to:

- (1) implement an electronic application system under subsection (a); and
- (2) expedite the processing of an application made by a person described in section 2.1(b) of this chapter.

Rules adopted under this section must require the superintendent to keep on file one (1) set of classifiable and legible fingerprints from every person who has received a license to carry a handgun so that a person who applies to renew a license will not be required to submit an



1 additional set of fingerprints.

2 (l) Except as provided in subsection (m), for purposes of
3 IC 5-14-3-4(a)(1), the following information is confidential, may not
4 be published, and is not open to public inspection:

5 (1) Information submitted by a person under this section to:

6 (A) obtain; or

7 (B) renew;

8 a license to carry a handgun.

9 (2) Information obtained by a federal, state, or local government
10 entity in the course of an investigation concerning a person who
11 applies to:

12 (A) obtain; or

13 (B) renew;

14 a license to carry a handgun issued under this chapter.

15 (3) The name, address, and any other information that may be
16 used to identify a person who holds a license to carry a handgun
17 issued under this chapter.

18 (m) Notwithstanding subsection (l):

19 (1) any information concerning an applicant for or a person who
20 holds a license to carry a handgun issued under this chapter may
21 be released to a federal, state, or local government entity:

22 (A) for law enforcement purposes; or

23 (B) to determine the validity of a license to carry a handgun;
24 and

25 (2) general information concerning the issuance of licenses to
26 carry handguns in Indiana may be released to a person conducting
27 journalistic or academic research, but only if all personal
28 information that could disclose the identity of any person who
29 holds a license to carry a handgun issued under this chapter has
30 been removed from the general information.

31 (n) A person who knowingly or intentionally violates this section
32 commits a Class B misdemeanor.

33 SECTION 10. IC 35-47-2-4, AS AMENDED BY P.L.17-2017,
34 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2019]: Sec. 4. (a) Licenses to carry handguns shall be either
36 qualified or unlimited, and are valid for:

37 (1) ~~four (4)~~ **five (5)** years from the date of issue in the case of a
38 ~~four (4)~~ **five (5)** year license; or

39 (2) the life of the individual receiving the license in the case of a
40 lifetime license.

41 A qualified license shall be issued for hunting and target practice. **An**
42 **individual may separately apply for and simultaneously hold both**



1 **a five (5) year license and a lifetime license.** The superintendent may
 2 adopt rules imposing limitations on the use and carrying of handguns
 3 under a license when handguns are carried by a licensee as a condition
 4 of employment. Unlimited licenses shall be issued for the purpose of
 5 the protection of life and property.

6 (b) **This subsection applies before July 1, 2020.** In addition to the
 7 application fee, the fee for:

8 (1) a qualified license shall be:

9 (A) five dollars (\$5) for a ~~four (4)~~ **five (5)** year qualified
 10 license;

11 (B) twenty-five dollars (\$25) for a lifetime qualified license
 12 from a person who does not currently possess a valid Indiana
 13 handgun license; or

14 (C) twenty dollars (\$20) for a lifetime qualified license from
 15 a person who currently possesses a valid Indiana handgun
 16 license; and

17 (2) an unlimited license shall be:

18 (A) thirty dollars (\$30) for a ~~four (4)~~ **five (5)** year unlimited
 19 license;

20 (B) seventy-five dollars (\$75) for a lifetime unlimited license
 21 from a person who does not currently possess a valid Indiana
 22 handgun license; or

23 (C) sixty dollars (\$60) for a lifetime unlimited license from a
 24 person who currently possesses a valid Indiana handgun
 25 license.

26 The superintendent shall charge a twenty dollar (\$20) fee for the
 27 issuance of a duplicate license to replace a lost or damaged license.
 28 These fees shall be deposited in accordance with subsection ~~(f)~~ (g).

29 (c) **This subsection applies after June 30, 2020. In addition to the**
 30 **application fee, the fee for:**

31 (1) a qualified license is:

32 (A) zero dollars (\$0) for a five (5) year qualified license;

33 (B) twenty-five dollars (\$25) for a lifetime qualified license
 34 from a person who does not currently possess a valid
 35 Indiana handgun license; and

36 (C) twenty dollars (\$20) for a lifetime qualified license
 37 from a person who currently possesses a valid Indiana
 38 handgun license; and

39 (2) an unlimited license is:

40 (A) zero dollars (\$0) for a five (5) year unlimited license;

41 (B) seventy-five dollars (\$75) for a lifetime unlimited
 42 license from a person who does not currently possess a



valid Indiana handgun license; and

(C) sixty dollars (\$60) for a lifetime unlimited license from a person who currently possesses a valid Indiana handgun license.

The superintendent shall charge a twenty dollar (\$20) fee for the issuance of a duplicate license to replace a lost or damaged license. These fees shall be deposited in accordance with subsection (g).

~~(c)~~ (d) Licensed dealers are exempt from the payment of fees specified in ~~subsection~~ subsections (b) and (c) for a qualified license or an unlimited license.

~~(d)~~ (e) The following officers of this state or the United States who have been honorably retired by a lawfully created pension board or its equivalent after at least twenty (20) years of service or because of a disability are exempt from the payment of fees specified in ~~subsection~~ subsections (b) and (c):

- (1) Police officers.
- (2) Sheriffs or their deputies.
- (3) Law enforcement officers.
- (4) Correctional officers.

~~(e)~~ (f) The following officers described in section 3(e) of this chapter who have at least twenty (20) years of service are exempt from the payment of fees for a lifetime qualified license or a lifetime unlimited license specified in ~~subsection~~ subsections (b) and (c):

- (1) Police officers.
- (2) Sheriffs or their deputies.
- (3) Law enforcement officers of the United States government.

~~(f)~~ (g) Fees collected under this section shall be deposited in the state general fund.

~~(g)~~ (h) The superintendent may not issue a lifetime qualified license or a lifetime unlimited license to a person who is a resident of another state. The superintendent may issue a ~~four~~ (4) five (5) year qualified license or a ~~four~~ (4) five (5) year unlimited license to a person who is a resident of another state and who has a regular place of business or employment in Indiana as described in section 3(a)(3) of this chapter.

~~(h)~~ (i) A person who knowingly or intentionally violates this section commits a Class B misdemeanor.

(j) If the Bureau of Alcohol, Tobacco, Firearms and Explosives certifies the five (5) year license described under this section as a valid National Instant Criminal Background Check System (NICS) compliant background check for firearm purchases:

- (1) a five (5) year license issued under this section must conspicuously display the term "Brady Exempt"; and



- 1 **(2) a person bearing a valid license described in subdivision**
 2 **(1) is exempt from undergoing a:**
 3 **(A) state; or**
 4 **(B) federal;**
 5 **background check when purchasing a firearm.**

6 SECTION 11. IC 35-47-9-1, AS AMENDED BY P.L.157-2014,
 7 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2019]: Sec. 1. (a) This chapter does not apply to the following:

- 9 (1) A:
 10 (A) federal;
 11 (B) state; or
 12 (C) local;
 13 law enforcement officer.
 14 (2) A person who may legally possess a firearm and who has been
 15 authorized by:
 16 (A) a school board (as defined by IC 20-26-9-4); or
 17 (B) the body that administers a charter school established
 18 under IC 20-24;
 19 to carry a firearm in or on school property.
 20 (3) Except as provided in subsection (b) or (c), a person who:
 21 (A) may legally possess a firearm; and
 22 (B) possesses the firearm in a motor vehicle.
 23 (4) A person who is a school resource officer, as defined in
 24 IC 20-26-18.2-1.
 25 (5) Except as provided in subsection (b) or (c), a person who:
 26 (A) may legally possess a firearm; and
 27 (B) possesses only a firearm that is:
 28 (i) locked in the trunk of the person's motor vehicle;
 29 (ii) kept in the glove compartment of the person's locked
 30 motor vehicle; or
 31 (iii) stored out of plain sight in the person's locked motor
 32 vehicle.
 33 (6) A person who:
 34 (A) may legally possess a firearm; and
 35 (B) possesses a firearm on school property in connection
 36 with or while:
 37 (i) attending a worship service or religious ceremony
 38 conducted at a house of worship located on the school
 39 property; or
 40 (ii) carrying out the person's official duties at a house of
 41 worship located on the school property, if the person is
 42 employed by or a volunteer at the house of worship.



1 **This subdivision does not affect the right of a property owner**
2 **to prohibit, in whole or in part, the possession of a firearm on**
3 **a property where a school or house of worship is located.**

4 (b) For purposes of subsection (a)(3) and (a)(5), a person does not
5 include a person who is:

6 (1) enrolled as a student in any high school except if the person is
7 a high school student and is a member of a shooting sports team
8 and the school's principal has approved the person keeping a
9 firearm concealed in the person's motor vehicle on the days the
10 person is competing or practicing as a member of a shooting
11 sports team; or

12 (2) a former student of the school if the person is no longer
13 enrolled in the school due to a disciplinary action within the
14 previous twenty-four (24) months.

15 (c) For purposes of subsection (a)(3) and (a)(5), a motor vehicle
16 does not include a motor vehicle owned, leased, or controlled by a
17 school or school district unless the person who possesses the firearm
18 is authorized by the school or school district to possess a firearm.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1643, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 9, line 34, delete "be five dollars (\$5)" and insert "**not be collected**".

Page 9, line 35, delete "not be collected" and insert "**be five dollars (\$5)**".

Page 9, line 38, delete "not be collected" and insert "**be five dollars (\$5)**".

Page 9, line 42, delete "be thirty dollars (\$30)" and insert "**not be collected**".

Page 10, line 2, delete "not be collected" and insert "**shall be thirty dollars (\$30)**".

Page 10, line 5, delete "not be collected" and insert "**shall be thirty dollars (\$30)**".

Page 11, line 36, delete "Unless the person knows or reasonably should know that" and insert "**A person who:**".

Page 11, delete lines 37 through 39.

and when so amended that said bill do pass.

(Reference is to HB 1643 as introduced.)

SMALTZ

Committee Vote: yeas 13, nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1643, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1643 as printed February 8, 2019.)

HUSTON

Committee Vote: Yeas 16, Nays 6

HB 1643—LS 7537/DI 123



COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1643, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 35, delete "a".

Page 4, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 8. IC 35-42-4-14, AS AMENDED BY P.L.87-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 14. (a) As used in this section, "serious sex offender" means a person required to register as a sex offender under IC 11-8-8 who is:

(1) found to be a sexually violent predator under IC 35-38-1-7.5; or

(2) convicted of one (1) or more of the following offenses:

(A) Child molesting (IC 35-42-4-3).

(B) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).

(C) Possession of child pornography (IC 35-42-4-4(d) or IC 35-42-4-4(e)).

(D) Vicarious sexual gratification (IC 35-42-4-5(a) and IC 35-42-4-5(b)).

(E) Performing sexual conduct in the presence of a minor (IC 35-42-4-5(c)).

(F) Child solicitation (IC 35-42-4-6).

(G) Child seduction (IC 35-42-4-7).

(H) Sexual misconduct with a minor (IC 35-42-4-9).

(I) A conspiracy or an attempt to commit an offense described in clauses (A) through (H).

(J) An offense in another jurisdiction that is substantially similar to an offense described in clauses (A) through (I).

(b) A serious sex offender who knowingly or intentionally enters school property commits unlawful entry by a serious sex offender, a Level 6 felony.

(c) It is a defense to a prosecution under subsection (b) that:

(1) a religious institution or house of worship is located on the school property; and

(2) the person:

(A) enters the school property or other entity described in ~~IC 35-31.5-2-285(1)(A)~~ **IC 35-31.5-2-285(a)(1)(A)** through ~~IC 35-31.5-2-285(1)(D)~~ **IC 35-31.5-2-285(a)(1)(D)** when classes, extracurricular activities, or any other school activities



are not being held:

- (i) for the sole purpose of attending worship services or receiving religious instruction; and
- (ii) not earlier than thirty (30) minutes before the beginning of the worship services or religious instruction; and
- (B) leaves the school property not later than thirty (30) minutes after the conclusion of the worship services or religious instruction."

Page 4, line 29, delete "After June 30, 2020, the law".

Page 4, delete line 30.

Page 4, line 34, delete "After June 30, 2020, the law".

Page 4, delete line 35.

Page 9, line 8, delete "expires June 30," and insert "**applies before July 1,**".

Page 9, delete lines 31 through 42, begin a new paragraph and insert:

"(c) This subsection applies after June 30, 2020. In addition to the application fee, the fee for:

(1) a qualified license is:

- (A) zero dollars (\$0) for a five (5) year qualified license;**
- (B) twenty-five dollars (\$25) for a lifetime qualified license from a person who does not currently possess a valid Indiana handgun license; and**
- (C) twenty dollars (\$20) for a lifetime qualified license from a person who currently possesses a valid Indiana handgun license; and**

(2) an unlimited license is:

- (A) zero dollars (\$0) for a five (5) year unlimited license;**
- (B) seventy-five dollars (\$75) for a lifetime unlimited license from a person who does not currently possess a valid Indiana handgun license; and**



(C) sixty dollars (\$60) for a lifetime unlimited license from a person who currently possesses a valid Indiana handgun license."

Page 10, delete lines 1 through 6.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1643 as printed February 18, 2019.)

HUSTON

Committee Vote: yeas 16, nays 4.

